THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.28047 of 1997

Dated: 07.03.2007

Between:

Maistry Abdul Gani,
S/o.M.Meera Mohiuddin Sab,
R/o.Adoni Town,
Kurnool District.

... PETITIONER

AND

1. The District Collector,
   Kurnool and three others.

...RESPONDENTS

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ORDER:

The petitioner states that he is the owner of two buildings bearing Door No.310/22 and 311A/22 of Yemmiganur Road, Adoni Town, Kurnool District. His grievance is that the respondents have marked portion of the property for the purpose of road widening. He complains that no notice was issued to him, muchless proceedings under the Land Acquisition Act, 1894 were initiated.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The petitioner states that the premises referred to above are his exclusive properties and that he did not encroach into any road margin. Even if there exists any cloud as to the title of the petitioner over the property, the respondents cannot dispossess him from the property or any portion thereof without initiating the proceedings as required under law. The petitioner is entitled to be put on notice before any portion of his property is disposed of.

Hence, the writ petition is disposed of directing that the respondents shall not demolish any structure or building raised by the petitioner without issuing any notice to him and without following the procedure prescribed by law. No costs.

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L. Narasimha Reddy, J

Date: 07.03.2007
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